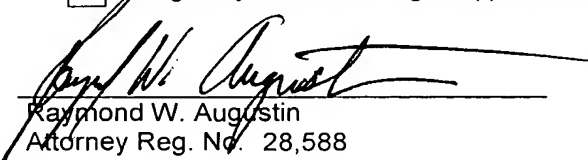
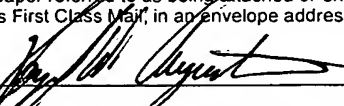




AP/HW

AMENDMENT TRANSMITTAL LETTER				After Final Rejection	
Application No. 10/672,327		Filing Date September 26, 2003		Examiner B. E. Snow	
				Group Art Unit 3738	
Applicant(s): Lance Middleton				Docket No. SPINE 3.0-2144 DIV II	
Invention: ARTIFICIAL INTERVERTEBRAL DISC					
TO THE COMMISSIONER FOR PATENTS					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	20	- 21 =		x	
Independent Claims	4	- 4 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge and credit Deposit Account No. <u>12-1095</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 Raymond W. Augustin Attorney Reg. No. 28,588				Dated: <u>May 16, 2006</u>	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 518-6318					
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.					
Dated: May 16, 2006		Signature:  (Raymond W. Augustin)			



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 16, 2006

Signature:

(Raymond W. Augustin)

EXPEDITED PROCEDURE

Group Art Unit: 3738

Docket No.: SPINE 3.0-2144 DIV II

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Lance Middleton

Application No.: 10/672,327

Filed: September 26, 2003

For: ARTIFICIAL INTERVERTEBRAL DISC

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:
:
: Group Art Unit: 3738
:
: Examiner: B. E. Snow
:
:

AMENDMENT UNDER 37 CFR 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated March 9, 2006, finally rejecting claims 1-16 and 18-21, please amend the above-identified U.S. patent application as follows: